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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

SEIU, LOCAL 2028)	Civil No.08cv0486 BTM (AJB)
)	
Plaintiff,)	
v.)	ORDER FOLLOWING EARLY
)	NEUTRAL EVALUATION
RADY CHILDREN'S HOSPITAL, SAN)	CONFERENCE
DIEGO, and DOES 1 through 10,)	
)	
Defendants.)	
_____)	

On June 4, 2008, the Court convened an Early Neutral Evaluation Conference in the above entitled action. Appearing were Bruce Harland, Esq. Mike Wilcoch on behalf of plaintiff and Gary Overstreet, Esq. on behalf of defendant.


Plaintiffs have filed a motion to compel arbitration under the collective bargaining agreement which exists between the parties. Defendants assert that there is no contract between the parties on a variety of theories. While identifying a variety scenarios which could lead to settlement, none were mutually acceptable to both sides. The case clearly must proceed to a motion before Judge Moskowitz.

Counsel feel they will be in a position to file the motion in July and both sides agree that no discovery will be needed to address the motion. Based thereon, the Court defers the setting of any Rule 26 obligations or deadlines at this time. The Court further sets a telephonic Case Management Conference for **October 24, 2008 at 9:00 a.m.** Plaintiff's counsel will initiate the conference call. At

1 the Case Management Conference, the Court will review the status of the motion and will schedule
2 further proceedings as appropriate for the case at that time.

3 IT IS SO ORDERED.

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6 DATED: June 4, 2008

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8 Hon. Anthony J. Battaglia
9 U.S. Magistrate Judge
10 United States District Court
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